U.S. Patent Application No. 10/052,900
Attorney Docket No. 1011/1

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

INVENTOR: Jonathan Edwards

ASSIGNEE: GlobalServe, Inc.

SERIAL NO.: 10/052,900

FILING DATE: January 18, 2002

EXAMINER: Ms. Sarah R. Gedrich

ART UNIT: 3625

TITLE: ELECTRONIC PROCUREMENT

ATTY DOCKET: 1011/1

VIA FACSIMILE TO CENTRAL FAX NUMBER (571) 273-8300

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

AFFIDAVIT UNDER 37 C.F.R § 1.131

I, Sanjeev Srinivas, do declare and state:

1. I am currently Chief Software Architect of GlobalServe Computer Services, Ltd.
("GlobalServe), which is the assignee of the above-identified patent application. I make this
statement on behalf of GlobalServe and am fully authorized and capable of so doing.

2. I am aware of the facts surrounding the conception and reduction to practice of the
invention, of which the above-identified patent application seeks to claim and patent.

3. All dates on the attached exhibits have been masked unless otherwise stated herein by
reference to specific dates.

4. Prior to June 14, 2000 Mr. Jonathan Edwards completed the invention as described

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and claimed in the above-identified patent application, as evidenced by the following:

a. A formal announcement was made prior to June 14, 2000 launching a website service that embodied the present invention, which was included on the World Wide Web at www.global-serve.com. A copy of this announcement is included as Exhibit A. In this press release, GlobalServe's NetProvisioning application is discussed, which was described as a global e-procurement solution that automates procurement of PC-related products and services. NetProvisioning is further described as an e-procurement Extranet, which facilitates and centralizes the traditional supply chain process.

b. An article providing an Executive Summary of the GlobalServe Solution was available on the World Wide Web prior to June 14, 2000, a copy of which is attached as Exhibit B. This article describes NetProvisioning.com as an on-line application used by procurement specialists to buy equipment using pre-established pricing and corporate standards. The article further states "Currency conversions, local tariffs, and asset audits are automated." This shows a user could access a website and its database to view an online catalog to purchase items suppliable by a vendor.

c. Copies of pages showing the website www.global-serve.com are included as Exhibit C, which are representative of the website www.global-serve.com prior to June 14, 2000. Page two of Exhibit C appears as FIG 5 of the present application. Page three of Exhibit C appears as FIG 8 of the present application. Page six of Exhibit C appears as FIG 9 of the present application. Page seven of Exhibit C appears as FIG 10 of the present application. Page eight of Exhibit C appears as FIG 11 of the present application. Page nine of Exhibit C appears as FIG 12 of the present application. Page one of Exhibit C shows how a user could access the NetProvisioning Application on the Internet. Page

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two shows a web page presented to the user for placing an order for certain items and their associated prices and availability. Page three shows a shopping basket of a user interacting with the website application. Page four shows a user creating an order using the website application. Page five shows an item list, which a user can search via the application. Page six shows an order preview page from the application. Page seven shows an order confirmation. Page eight shows an order tracking page. Page nine shows an order reporting page. These pages completely describe a user's interaction with a web server and database to create an order of PC equipment in accordance with previously established prices and terms.

d. GlobalServe produced a business plan describing the market of the invention prior to June 14, 2000, which business plan is included as Exhibit D. Page 6 of the business plan in Exhibit D describes the hardware configuration used to operate the NetProvisioning application. This hardware configuration includes a Compaq Server platform connected by Cisco Internetworking hardware, and Microsoft NT 4.0 Servers and SQL Server software as the primary operating system and database configuration. Page 10 of the business plan in Exhibit D describes the NetProvisioning application as an "online procurement application that allows a procurement specialist the ability to buy computer equipment based on corporate dictated specifications at pre-negotiated global pricing schemas in a matter of a few minutes."

E. Mr. Edwards met with several patent attorneys on June 14, 2000 to discuss the invention, which was recorded on tape. A copy of the transcript of this recording is included as Exhibit E. On page 1, fourth paragraph, Jonathan Edwards (JE) describes a method of providing an electronic procurement to a customer. In the same paragraph, JE

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describes having built a catalogue and processes that allow a customer to come into the catalogue, and place an order, track an order and report on and provide management reporting. This shows having an online catalog with commercial terms between a purchaser and vendor. In the same paragraph, JE describes the application as enabling a customer from his PC to be able to order PC and related technologies anywhere around the globe at his globally negotiated contract price.

F. Copies of three contracts that were included in the patent application were provided at this meeting of June 14, 2000, which contracts are included as Exhibit F. These contracts are examples of the pre-established contracts referred to in the patent application.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.
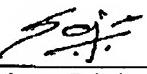
_____
Sanjeev Srinivas

Date: <u>August 16, 2007</u>

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